

United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL DIVISION  
VENUE: SAN JOSE

FILED

NOV 27 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA  
v.

RUDOLPH KERMIT KING,  
aka KLEVER ROSALES

E-filing

CR 07

0746

JW

DEFENDANT.

INDICTMENT

HRL

A TRUE BILL.

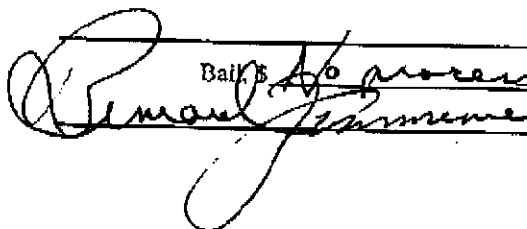


FOREMAN

Filed in open court this 11/27/2007 Day of



Clerk:

By:  Bailiff

(HRL) MW HRL (HRL)

1 SCOTT N. SCHOOLS (SCSBN 9990)  
2 United States Attorney

FILED

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RICHARD W. WIEKINS  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

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7  
8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

JW  
HRL

11  
12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 RUDOLPH KERMIT KING,  
16 aka KLEVER ROSALES,

17 Defendant.

No.

CR 07 - 0746

VIOLATION: Title 18, United  
States Code, Section 287  
-- False Claim

18 SAN JOSE VENUE

19 INDICTMENT

20 The Grand Jury charges:

21 On or about the 20<sup>th</sup> day of September, 2007, in the Northern District of California, the  
22 defendant,

23 RUDOLPH KERMIT KING,  
24 aka KLEVER ROSALES,

25 a resident of Nassau, The Bahamas, made and presented to the United States Treasury Department a  
26 claim against the United States for payment, which he knew to be false, fictitious, and fraudulent, to  
27 wit: a claim that consisted of a letter and attachments including a U.S. Corporation Income Tax Return,  
28 Form 1120; a Claim for Refund and Request for Abatement, Form 843; and a money order, which were

INDICTMENT

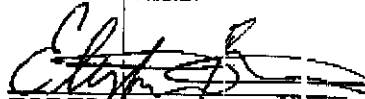
1 presented to the United States Treasury Department, through the Internal Revenue Service, wherein he  
2 claimed a refund of taxes in the amount of \$2,700,000, knowing such claim to be false, fictitious, and  
3 fraudulent.

4 In violation of Title 18, United States Code, Section 287.

7 DATED:

8 11/27/07  
9


A TRUE BILL.

  
FOREPERSON

10 SCOTT N. SCHOOLS  
11 United States Attorney

12   
13 BRIAN STRETCH  
Chief, Criminal Division

14 Approved as to form

15   
16 THOMAS M. NEWMAN  
17 Assistant United States Attorney

28  
INDICTMENT

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

**OFFENSE CHARGED**

18 USC § 287 - False Claim

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

**PENALTY:**

18 USC § 287 - 5 yrs impris., \$250,000 fine, 3 yr superv. rel., \$100 assessment

E-filing

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Atty ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person  
 Furnishing Information on  
 THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Atty ☐ Other U.S. Agency

Name of Asst. U.S. Atty  
 (if assigned)

THOMAS NEWMAN, AUSA, TAX DIV.

Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

RUDOLPH KERMIT KING, aka KLEVER ROSALES

DISTRICT COURT NUMBER

CR 07

0746

DEFENDANT

JW HRI

**IS NOT IN CUSTODY**

1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

**IS IN CUSTODY**

4) ☒ On this charge

5) ☐ On another conviction

6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?

☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

**PROCESS:**

**ADDITIONAL INFORMATION OR COMMENTS**

☐ SUMMONS ☒ NO PROCESS\* ☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no now summons or warrant needed, since Magistrate has scheduled 1 arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_